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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,807	10/22/2003	Brian V. Sychta	GP-302372	6668

7590 08/25/2005

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EXAMINER
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PHUONG, DAI

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/691,807	SYCHTA, BRIAN V.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dai A. Phuong	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.--

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-6, 9-15 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yazaki (U.S. 5,418,836) in view of Cannon et al. (Pub. No: 2003/0032460).

Regarding claim 1, Yazaki discloses a method of processing telephone calls from a plurality of telephone sources in a vehicle audio system, the method comprising the steps of: providing a first call using a first one of the telephone sources to a user via the vehicle audio system (col. 4, lines 38-48).

However, Yazaki does not disclose a method of processing telephone calls from a plurality of telephone sources in a vehicle audio system, the method comprising the steps of: notifying the user of a second call received via a second one of the telephone sources while the first call is active, and processing an instruction from the user to either suspend the first call and accept the second call, or to continue providing the first call.

In the same field of endeavor, Cannon et al. disclose notifying the user of a second call received via a second one of the telephone sources while the first call is active ([0068] to

[0075]); and processing an instruction from the user to either suspend the first call and accept the second call, or to continue providing the first call ([0068] to [0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicular radiotelephone of Yazaki by specifically including notifying the user of a second call received via a second one of the telephone sources while the first call is active, and processing an instruction from the user to either suspend the first call and accept the second call, or to continue providing the first call, as taught by Cannon et al., the motivation being in order to give priority use to users.

Regarding claim 2, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 1. Further, Cannon et al. disclose the method wherein the notifying step comprises providing an audible prompt using the vehicle audio system ([0037] to [0040] and [0068] to [0075]).

Regarding claim 3, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 2. Further, Cannon et al. discloses the method wherein the audible prompt comprises an indication of the priority of the second call ([0037] to [0040] and [0068] to [0075]).

Regarding claim 5, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 1. Further, Yazaki discloses the method wherein the providing step comprises routing audio information from the first phone to the vehicle audio system (col. 4, lines 48-54), and routing output from a vehicle microphone to an input of the first phone (col. 4, lines 41-48).

Regarding claim 6, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 5. Further, Cannon et al. disclose the method wherein the processing step

comprises routing audio information from the second phone to the vehicle audio system ([0036], and routing output from a vehicle microphone to an input of the second phone in response to the instruction from the user to suspend the first call ([0039] to [0040]. It should be noted that once the user selects the driver button. The hands free gateway 100 disables passenger's wireless phones).

Regarding claim 9, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 10, Yazaki discloses an audio system for processing telephone calls from a plurality of telephones in a vehicle, the system comprising at least one audio speaker (col. 4, lines 10-15), a user interface (col. 5, lines 32-46) and a controller communicating with an interface to each of the plurality of telephones (col. 5, lines 47-64), wherein the controller is configured to provide a first call from a first telephone to a user via the at least one audio speaker.

However, Yazaki does not disclose to notify the user of a second call received via a second telephone while the first call is active ([0069] to [0075]), and to process an instruction received from the user at the user interface to either suspend the first call and accept the second call over the at least one audio speaker, or to continue providing the first call over the at least one audio speaker ([0069] to [0075]).

In the same field of endeavor, Cannon et al. disclose to notify the user of a second call received via a second telephone while the first call is active ([0069] to [0075]), and to process an instruction received from the user at the user interface to either suspend the first call and accept

the second call over the at least one audio speaker, or to continue providing the first call over the at least one audio speaker ([0069] to [0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicular radiotelephone of Yazaki by specifically including to notify the user of a second call received via a second telephone while the first call is active, and to process an instruction received from the user at the user interface to either suspend the first call and accept the second call over the at least one audio speaker, or to continue providing the first call over the at least one audio speaker, as taught by Cannon et al., the motivation being in order to give priority use to users.

Regarding claim 11, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 10. Further, Cannon et al. disclose the audio system further comprising a first interface to the first telephone and a second interface to the second telephone ([0035] to [0036]).

Regarding claim 12, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 11. Further, Cannon et al. disclose the audio system wherein the first interface is a wireless interface ([0035] to [0036]).

Regarding claim 13, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the second interface is an interface to an onboard telephony system ([0035] to [0036]).

Regarding claim 14, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the wireless interface is a Bluetooth interface ([0035] to [0036]).

Regarding claim 15, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 13. Further, Cannon et al. disclose the audio system wherein the processor is further configured to override any calls on the first telephone to automatically place a call on the second telephone in the event of an emergency ([0040] and [0061] to [0064]).

Regarding claim 18, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 10. Further, Cannon et al. disclose the audio system further comprising a voice recording subsystem in communication with the controller ([0048] to [0049] and [0081]).

Regarding claim 19, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the controller is further configured to place the first call into a private mode on the first telephone when instructed by the user ([0037] to [0040]).

Regarding claim 20, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 10. Further, Yazaki discloses the audio system wherein the user interface comprises a SEND button, a REJECT button, and an END button (col. 5, lines 32-56).

3. Claims 4, 7-8 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yazaki (U.S. 5,418,836) in view of Cannon et al. (Pub. No: 2003/0032460) and further in view of Yang et al. (Pub. No: 2003/0186686).

Regarding claim 4, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 1. However, the combination of Yazaki and Cannon et al. do not disclose the method wherein the processing step comprises placing the first call on hold while the user accepts the second call.

In the same field of endeavor, Yang et al. disclose the method wherein the processing step comprises placing the first call on hold while the user accepts the second call ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicular radiotelephone of Yazaki by specifically including disclose the method wherein the processing step comprises placing the first call on hold while the user accepts the second call, as taught by Yang et al., the motivation being in order to handle incoming call to a wireless phone.

Regarding claim 7, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 1. However, the combination of Yazaki and Cannon et al. do not disclose the method wherein the processing step comprises placing the first call into a queue while the second call is accepted.

In the same field of endeavor, Yang et al. disclose the method wherein the processing step comprises placing the first call into a queue while the second call is accepted ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicular radiotelephone of Yazaki by specifically including processing an instruction from the user to either suspend the first call and accept the second call, or to continue providing the first call, or to continue providing the first call, as taught by Yang et al., the motivation being in order to handle incoming call to a wireless phone.

Regarding claim 8, the combination of Yazaki and Cannon et al. disclose all the limitation in claim 1. However, the combination of Yazaki and Cannon et al. do not disclose the



Art Unit: 2685

method wherein the processing step comprises placing the second call into a queue until the first call is complete.

In the same field of endeavor, Yang et al. disclose the method wherein the processing step comprises placing the second call into a queue until the first call is complete ([0007]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicular radiotelephone of Yazaki by specifically including the processing step comprises placing the second call into a queue until the first call is complete, as taught by Yang et al., the motivation being in order to handle incoming call to a wireless phone.

Regarding claim 16, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 17, this claim is rejected for the same reason as set forth in claim 8.

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Bosch (U.S. 6792296) configuring when connected to a mobile

Takagi et al. (U.S. 6718187) hands-free-telephone for vehicle

Chen (Pub. No: 20030119566) hand-free device equipped

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

Art Unit: 2685

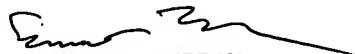
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong

AU: 2685

Date: 08-18-2005

  
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